



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A.(MD)No.798 of 2015
and
M.P.(MD)No.2 of 2015

The Divisional Manager,
The Oriental Insurance Company Limited,
KJR Complex,
North Veli Street,
Madurai 625 001.

... Appellant/Respondent No.2

Vs.

1.S.Balasubramanian
2.A.Bose

... Respondent No.1/Petitioner
... Respondent No.2/Respondent No.1

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree passed in M.C.O.P.No.1144 of 2012 dated 30.04.2014 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Madurai.

For Appellant : Mr.C.Ramachandran

For Respondents : No appearance

JUDGMENT

The Insurance company has filed this appeal, questioning the impugned award on grounds of liability.

2.The case of the claimant is that he suffered serious injuries in an accident involving the vehicle insured with the appellant. The doctor had assessed the claimant's disability at 19% and the tribunal awarded a sum of Rs. 68,960. This Cannot be said to be excessive. The tribunal has also directed that the appellant Insurance Company shall satisfy with the award at the first instance and thereafter recover the same from the owner of the vehicle.



3. In these circumstances, no interference is called for. The Civil Miscellaneous Appeal is dismissed. The impugned award stands confirmed. No costs. Consequently, the connected M.P.(MD)No.2 of 2015 is closed.

/True Copy/

Sd/-
Assistant Registrar (ADII)

Sub-Assistant Registrar

To

1. The Chief Judicial Magistrate,
Motor Accidents Claims Tribunal,
(The Chief Judicial Magistrate Court),
Madurai.
2. The Record Keeper, V.R. Section, (2 copies)
Madurai Bench of Madras High Court, Madurai.

+One cc to Mr.C.Ramachandran, Advocate, SR.No.88029

vsg/dss
RL/5C/2P/KKR/SAR3/9/2/2018

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